

HOUSE BILL 2036

By Hill

AN ACT to amend Tennessee Code Annotated, Title 41, relative to correctional institutions and inmates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-21-219, is amended by deleting the language of the section in its entirety and by substituting instead the following:

Each inmate housed within a department of correction facility, at the discretion of the commissioner of correction, may be furnished upon release, either on parole or probation pursuant to § 40-35-501(a) or § 40-20-206, or when discharged without further supervision, with appropriate clothing and with an amount of money not to exceed fifty dollars (\$50.00) for an inmate leaving on parole or probation and an amount not to exceed one hundred dollars (\$100) for an inmate who is discharged without further supervision. Each inmate who is paroled or placed on probation pursuant to § 40-35-501(a) or § 40-20-206 may also be provided with a nontransferable ticket for the least costly means of public transportation to such inmate's approved parole or probation residence when private transportation is not available. A parole or probation violator who is re-released within six (6) months following such violator's return to the custody of the department shall be ineligible to receive any such release provisions.

SECTION 2. Tennessee Code Annotated, Section 41-1-402, is amended by deleting the language of the section in its entirety and by substituting instead the following:

The intent of the general assembly regarding the labor of inmates within the correctional system is as follows:

(1) All inmates, except those designated by a judge, warden or medical personnel as being either too dangerous to society or physically unable, shall engage in work and other productive services.

(2) To the extent reasonably feasible, such labor shall include manufacture or production of building materials, production of other items of practical use to state and local governments, production of food and clothing for use within the correctional system, and construction, renovation and repair of prison facilities to the extent that security and inmate skills permit;

(3) Inmates not engaged in work activities pursuant to subdivision (2) and who are determined to be acceptable security risks shall be utilized to perform labor that might not otherwise be performed for state and local governments or nonprofit or charitable organizations, including land reclamation, rural dam repair, drainage ditch maintenance, cemetery reclamation and maintenance, and painting of public buildings and schools. Unless a judge, warden or medical personnel has determined, either by reason of public safety or physical incapacity, that an inmate should not work, the commissioner has the discretion to determine which inmates are acceptable security risks to perform work projects outside of department of correction facilities or property;

(4) Other departments of state government, particularly transportation and environment and conservation, shall cooperate with the department of correction in the utilization of inmate labor for projects within such departments that are of value, but because of a lack of funds or personnel, might not otherwise be performed. The commissioner of correction, with the advice of the appropriate department commissioner, has the authority to restrict the use of such inmate labor in certain areas and at such times as the commissioner determines to be necessary for the public safety or convenience; and

(5) Educational opportunities, particularly those teaching the basic skills, should be available at all institutions except the classification centers.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.